



STATE OF ARKANSAS
TOWING & RECOVERY BOARD
PO BOX 8285
SEARCY, ARKANSAS 72145

Phone (501) 278-5225
Fax (501) 278-5255
Email: Towing @vuewifimail.com
www.artowing.arkansas.gov

Glenna Butler,
Chairperson
Insurance Representative
(501) 758-7861

Wayne Edwards,
Vice –Chairperson
Zone 4 Non-Consent
Representative
(870) 265-2214

Mary Thoma,
Zone 3 Non-Consent
Representative
(479) 839-2400

Avon Phillips, Jr.,
Zone 2 Non-Consent
Representative
(501) 758-4357

Charles Bokker, Jr.
Zone 1 Non-Consent
Representative
(870) 633-1000

E.L. Jacobs,
Consent Only
Representative
(479) 963-3794

Ronnie Walker,
Consent Only
Representative
(501) 321-2852

Noel Foster
Treasurer
Citizen Representative
(870) 247-1414

Tommy Brown,
Citizen Representative
(501) 753-6220

MINUTES

October 27, 2009

The Arkansas Towing & Recovery Board convened on Tuesday, October 27, 2009 at 9:48 a.m. in the 2nd floor conference room of the Attorney General's Office at 323 Center Street, Little Rock, Arkansas. Chairperson Glenna Butler called the meeting to order with roll call. Chairperson Glenna Butler, Vice-Chairperson Wayne Edwards, Treasurer Noel Foster, and Members: E. L. Jacobs, Charles Bokker, Jr., Ronnie Walker, Avon Phillips Jr., Mary Thoma, and Tommy Brown, were in attendance. Board Director Cynthia Lauen, Clerical Assistant April Staggs, Board Investigator Gary Ashcraft, Board Consultant B.G. Hendrix, and Board Legal Counsel Rebsamen, were also, present.

Chairperson Glenna Butler confirmed members had received the Minutes from the September 29, 2009, meeting with a Motion by Brown and a 2nd by Foster, the Board voted 8-0-1 to accept the Minutes as written. (Note: Member Phillips was not present for vote).

Treasurer Foster reported expenditures of \$ 3,221.77 and revenues of \$ 22,364.73 for a checkbook balance as of October 26, 2009 of \$ 127,257.96. (Note: Copy Treasurers' Reports are filed with these Minutes).

Chairperson Glenna Butler welcomed guests.

On-Going Business

1. **Progress Report:** Clerical Assistant Staggs reported as of October 26, 2009: 47 non-consent safety licenses; 50 new, 26 1st renewal, and 42 2nd renewal non-consent permits; 15 consent safety licenses, 04 new, 07 1st renewal, 05 2nd renewal and 01 Trailer consent permits were issued, 14 walk-in applications, 08 applications with deficiencies, and 26 unprocessed applications. (Note copy of Clerical Report is filed with these Minutes).
2. **Complaints Report:** Board Investigator Ashcraft reported as of October 26, 2009: 29 telephone complaints, 21 written complaints, and 00 Notices of Non-renewal were sent. An estimated 70 pending complaint investigations, 05 pending complaint hearings, and 14 closed complaints. 00 Offer of Settlements were sent. The complaints were broken down into itemized categories on the report. (Note: copy of Complaint Report is filed with these minutes)
3. **Administrative Appeals:** Board Council Rebsamen reported on 4 complaints on appeal:
 - A. **Complaint No. 06-12-158** Asher Wrecker Service, Inc.: Issue with the record and waiting on briefing schedule.
 - B. **Complaint No. 08-11-061 and 08-12-070:** Steve's Auto Center of

Conway, Inc.: Waiting for declaratory judgments. Appeals are still pending, waiting on briefing schedule on appeals.

- C. **Complaint No. 08-06-150** – Gene Zajac DBA Blue Hill Wrecker Service: Record has been filed waiting on a briefing schedule approval.
- D **Complaint No. 09-01-093 and 2009-09-045:** Glover’s Transmission and Rear End, Inc; Appeal record has been filed and in process of setting briefing schedule.

Old Business

- 1. **Arkansas State Police:** Ashcraft reported we continued work with Captain Mark Allen. On-going discussions has been focused on the education of road troopers on the towing laws.
- 2. **Law Enforcement Conferences:** Member Foster open discussion of having some office staff attend the law enforcement conferences as a vender to help inform agencies about towing laws and helping get information to these agencies. After some discussion, with a motion by Bokker, 2nd by Foster, the Board voted 9-0-0 to have Board Director and Investigator and any board member, who would like, to attend law enforcements conferences as a vendor next year, to further helping get information to law enforcement agencies.
- 3. **Public Service Advertisements:** Director Lauen reported nothing new and was tabled until next meeting.

New Business

- 1. Offer of Settlements: Lauen reported updating wording for the Offer of Settlement for “failure to notify office of going out of business”. After some discussion, the Board requested Offer of Settlements be prepared for new routine violations, (1) Failure to notify (2) Towing without proper license and permits. With a motion by Foster, 2nd by Brown, the Board voted 9-0-0 to add new Offer of Settlements, with proper procedures, forms and approval by the Board and Board Counsel.

Other Business

- 1. **Next Meetings:** December 2, 2009, 2nd floor conference room, Tower Building, 323 Center, Little Rock, Arkansas.

Meeting adjourned 11:03 a.m.

Signed _____
Glenna Butler, Chairperson or
Wayne Edwards, Vice-Chairperson

Attest _____
Cynthia Lauen, Director

Approved _____ (Date)